

REMARKS

The Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1-22, 30, 38 and 41-42 were previously canceled.

Claims 23 and 32 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 23-29, 31-37, 39 and 40 (16 claims) are now pending in this application.

Claim Rejections 35 U.S.C. § 102

On page two of the office action, the Examiner has rejected claims 23-29, 31-37, 39-40 under 35 U.S.C. § 102(b) as being anticipated by Emery et al (USPN: 5,758,281).

Emery discloses a “personal communication service using wireline/wireless configuration”. Emery requires “centralized control processing by both telephone central office switching systems and wireless mobility controllers based on a call processing data associated with individual subscribers stored in a central service control point . . . within the telephone network” (see col. 7, lines 65-67 – col. 8, lines 1-4).

Independent Claim 23.

Claim 23 is in independent form and recites a “method for switching a subscriber station, from a first telecommunications network to a second telecommunications network” comprising, in combination with other elements, “wherein the two telecommunication networks are interconnected and share relevant subscriber routing information without central control”. Claims 24-29 and 31 depend either directly or indirectly from independent claim 23.

Emery does not identically disclose a “method for switching a subscriber station from a first telecommunications network to a second telecommunications network” comprising, among other elements, “wherein the two telecommunication networks are interconnected and share relevant subscriber routing information without central control” as recited in independent claim 23, as amended. The rejection of claim 23, as amended, over Emery is improper. Claim 23, as amended, is patentable over Emery.

Support for the amendment to independent claim 23 can be found in the specification at least on page 4, lines 6-22; page 11, lines 3-23; and page 13, lines 1-12.

As disclosed and claimed in the present application, the fixed network includes separate and distributed databases for routing information with each local exchange having subscriber information for the present subscribers connected to the exchange. As disclosed and claimed, a central unit as described by Emery is not required nor exists. Further, a subscriber in the present application, as disclosed and claimed does not change his location. The subscriber remains stable at his home location, and will only be connected physically to a new provider and new exchange related to that provider. In the problem solved by the present disclosure, and as claimed a subscriber may not be available during a switchover between a first and second network, therefore, there exists double routing information in both local exchanges before and after the switchover “wherein the subscriber station is accessible virtually all of the time”. Such double routing information in both networks is not taught by Emery since Emery requires a centralized control of call processing as cited above.

Dependent claims 24-29, and 31, which depend from independent claim 23, as amended are also patentable. See 35 U.S.C. § 112, paragraph four.

Independent claim 32.

Claim 32 is in independent form and recites “the method for switching a subscriber station from a first telecommunications network to a second telecommunications network”, comprising, in combination with other elements, “said primary routing information being contained in the first and second telecommunications network without central control”. Claims 33-37 and 39-40 depend from independent claim 32, as amended.

Emery does not identically disclose a “method for switching a subscriber station from a first telecommunication network to a second telecommunication network,” comprising, together with other elements, “said primary routing information being continued in the first and second telecommunications network without central control” as recited in independent claim 32, as amended. The rejection of claim 32, as amended over Emery is improper. Claim 32, as amended is patentable over Emery.

Support for the amendment to independent claim 32 can be found at least in specification page four, lines 6-22, page 11, lines 2-23 and page 13, lines 1-12.

As disclosed and claimed in the present application, the fixed network includes separate and distributed databases for routing information with each local exchange having subscriber information for the present subscribers connected to the exchange. As disclosed and claimed, a central unit as described by Emery is not required nor exists. Further, a subscriber in the present application, as disclosed and claimed does not change his location. The subscriber remains stable at his home location, and will only be connected physically to a new provider and new exchange related to that provider. In the problem solved by the present disclosure, and as claimed a subscriber may not be available during a switchover between a first and second network, therefore, there exists double routing information in both local exchanges before and after the switchover “wherein the subscriber station is accessible virtually all of the time”. Such double routing information in both networks is not taught by Emery since Emery requires a centralized control of call processing and cited above.

The Applicant respectfully requests withdrawal of the rejection of Claims 23-29, 31-37 and 39-40 under 35 U.S.C. § 102(b).

The Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

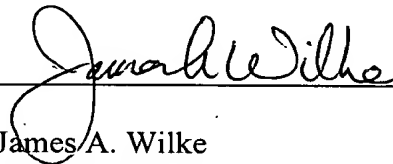
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, the Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

Date 05-21-07

FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (414) 297-5776
Facsimile: (414) 297-4900

By 

James A. Wilke
Attorney for the Applicant
Registration No. 34,279